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Application Number : 10/049,436 Confirmation No. 3671
Applicant : Helen Dukes et al.
Filed : July 22, 2002
Art Unit : 1724
Examiner : Minh Chau Thi Pham
Entitled : Air Filter

Attorney Reference : 070662-0290692
Customer Number : 00909
Date : August 11, 2005

**PETITION REQUESTING WITHDRAWAL OF
ABANDONMENT PURSUANT TO 37 C.F.R. § 1.181(a)**

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This petition, filed pursuant to 37 C.F.R. § 1.181(a), is in response to the Notice of Abandonment mailed June 27, 2005. The Notice of Abandonment indicates that U.S. Patent Application No. 10/049,436 is abandoned in view of Applicants' failure to reply to an Office letter (Notice of Non-Compliant Amendment) allegedly mailed on August 30, 2004.

Applicants request, pursuant to 37 C.F.R. § 1.181(a) and MPEP § 711.03(c), that the holding of abandonment of U.S. Patent Application No. 10/049,436 be withdrawn. This request is based upon the fact that the undersigned attorney/firm never received the aforementioned Office letter. The undersigned attorney hereby attests that the Notice of Non-Compliant Amendment was not received, which is confirmed by a thorough search of file jacket of the application and the docket records relating to the application.

As evidence of non-receipt, Applicants enclose (as Appendix A) the docket record of U.S. Patent Application No. 10/049,436 as maintained by the docketing department of the

undersigned's firm. The attached docket record contains an event log, on page 2, that identifies (a) the date of submission of all documents submitted to the U.S. Patent and Trademark Office for U.S. Patent Application No. 10/049,436, and (b) the official mailing date of all documents received from the U.S. Patent and Trademark Office for U.S. Patent Application No. 10/049,436. As can be seen in the second-to-last line of the event log, Applicants filed a response to the outstanding Office Action on August 19, 2004. The check indicates that this document was indeed filed. The last line indicates that a Notice of Abandonment was received on June 29, 2005. If the Notice of Non-Compliant Amendment dated August 30, 2004 was received, it would have been entered into the event log between these two entries. The absence of this entry indicates that the undersigned's firm never received the Notice of Non-Compliant Amendment.

As further evidence of non-receipt of the Notice of Non-Compliant Amendment dated August 30, 2004, Applicants point to pages 3-4 of the docket report which details the list of actions in this application. The list of action contains all actions due for this application starting with the filing date for the application. On the bottom of page 3 (second-to-last line), the list indicates in the due-date column that a response is due by May 13, 2004. The action-taken column indicates that a response was filed with a three-month extension of time on August 19, 2004. The first few lines on page 4 confirm that the filing took place on August 19, 2004 with the necessary extensions. The next few lines suggest periodic status checks on the application. Then, the list of actions indicates that a petition to revive may be filed. The docket entry for a petition to revive is created in response to the Notice of Abandonment mailed on June 27, 2005. If the Notice of Non-Compliant Amendment dated August 30, 2004 was received by the undersigned's firm, an entry would have been generated in the list of actions and a due date of September 30, 2004 would have appeared. The absence of this listing is further evidence that the undersigned's firm never received the Notice of Non-Compliant Amendment.

Applicants also enclose (as Appendix B) Applicants' proper response to the Notice of Non-Compliant Amendment dated August 30, 2004. Applicants note that the new rules relating to status identifiers, if in place by August 19, 2004, would have allowed the U.S. Patent and Trademark Office to accept Applicants' response as properly filed.

In view of the foregoing, Applicants respectfully request that the Director grant this petition. Should the Director or any other person at the U.S. Patent and Trademark Office have

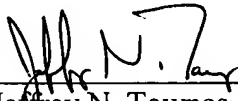
U.S. Application No. 10/049,436
Attorney Docket 070662-0290692

any questions regarding this petition, the undersigned may be contacted at the telephone number listed below.

Applicants do not believe that any fee is due with the submission of this petition. Should any fees be required, the Office is hereby authorized to charge any such fees to Deposit Account No. 033975.

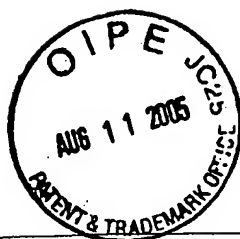
Respectfully submitted,

PILLSBURY WINTHROP SHAW PITTMAN LLP

By: 
Jeffrey N. Townes
Registration No. 47,142
Direct No. 703.905.2087

August 11, 2005

1600 Tysons Boulevard
McLean, VA 22101
703.905.2000 Telephone
703.905.2500 Facsimile



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Client-Matter: 070662-0290692

Country: US

Client: Avecia Limited

United States of America

Attorney 1: Hess, Adam R.

Attorney 2: Cawley, Thomas A.

Attorney 3: Townes, Jeffrey N.

Attorney 4:

Billing Attorney: Hess, Adam R.

Case Type: PCT

Resp.Office: VA

Application Status: Pending

Status Date: 12-Feb-2002

Application Number: 10/049436

Filing Date: 22-Jul-2002

Publication Number:

Publication Date:

Patent Number:

Issue Date:

Parent/PCT Number: PCT/GB00/02878

Parent/PCT Date : 26-Jul-2000

Parent Patent Number:

Parent Issue Date :

Tax Schedule: LE

Expiration Date:

Confirmation Number: 3671

Patent Term Adjustment: 0

Agent:

Agent Reference No.:

Tax Agent:

Tax Pay Status: PAY ON INSTR

Tax Start Date:

Remarks: Instructions received to file declaration and power of attorney received dated 5/2/02.

Priority Cases

Client	Matter	Ctry	Application Number	Filing Date	Case Type	Family Number
		GB	9919127.2	13-Aug-1999		

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Event Log

Event	Event Date	Document Filed at PTO
CDC Declaration Filed Date	12-Feb-2002	<input checked="" type="checkbox"/>
CDC Fees Date	12-Feb-2002	<input type="checkbox"/>
CDC Specification Date	12-Feb-2002	<input type="checkbox"/>
Declaration	22-Jul-2002	<input checked="" type="checkbox"/>
Supplemental Information Disclosure Statement	17-Oct-2002	<input checked="" type="checkbox"/>
Status Inquiry	07-Apr-2003	<input checked="" type="checkbox"/>
filed copies faxed to PTO	02-May-2003	<input checked="" type="checkbox"/>
petition to reinstate application faxed to PTO	02-May-2003	<input checked="" type="checkbox"/>
Decision on petition received (granted)	09-May-2003	<input type="checkbox"/>
FILING Receipt	16-May-2003	<input type="checkbox"/>
Notice of Acceptance of Application received	16-May-2003	<input type="checkbox"/>
3-Month Office Action received	30-Sep-2003	<input type="checkbox"/>
Abstract	04-Dec-2003	<input checked="" type="checkbox"/>
Amendment and Response	04-Dec-2003	<input checked="" type="checkbox"/>
3 month office action received	19-Feb-2004	<input type="checkbox"/>
certificate of facsimile transmission	19-Aug-2004	<input checked="" type="checkbox"/>
Response, Petition for EOT, fee faxed to PTO	19-Aug-2004	<input checked="" type="checkbox"/>
Notice of Abandonment Received	29-Jun-2005	<input type="checkbox"/>

Family Numbers

Client-Matter	Ctry	Case Type	Application Number	Filing Date	Patent Number	Issue Date
070662-0290692	US	PCT	10/049436	22-Jul-2002		

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List Of Actions

Action(s) Due	Due Date		Action Taken
US-National Phase 20 Mo Due	13-Apr-2001	Final	12-Feb-2002
US-National Phase 30 Mo Due	13-Feb-2002	Final	12-Feb-2002
Information Disclosure Stmt	12-May-2002	Due Date	17-Oct-2002
Action Sent/Client Inst. Rec'd	05-Jul-2002	Reminder	22-Jul-2002
Response Due	21-Jul-2002	Due Date	22-Jul-2002
1st Extension	21-Aug-2002	Due Date	22-Jul-2002
2nd Extension	21-Sep-2002	Due Date	22-Jul-2002
3rd Extension	21-Oct-2002	Due Date	22-Jul-2002
2 Weeks To Final Date	04-Nov-2002	Reminder	22-Jul-2002
4th Extension/Final Date	21-Nov-2002	Final	22-Jul-2002
Status Check 1	22-Jan-2003	Reminder	22-Apr-2003
Application Status Check	12-Apr-2003	Reminder	22-Apr-2003
Status Check 2	22-May-2003	Reminder	22-Apr-2003
Action Sent/Client Inst. Rec'd	05-Jun-2003	Reminder	02-May-2003
Response Due {Declaration}	22-Jun-2003	Due Date	02-May-2003
1st Extension	22-Jul-2003	Due Date	02-May-2003
2nd Extension	22-Aug-2003	Due Date	02-May-2003
3rd Extension	22-Sep-2003	Due Date	02-May-2003
Status Check 3	22-Sep-2003	Reminder	22-Apr-2003
2 Weeks To Final Date	06-Oct-2003	Reminder	02-May-2003
4th Extension/Final Date	22-Oct-2003	Final	02-May-2003
Status Check 1	02-Nov-2003	Reminder	30-Sep-2003
Action Sent/Client Inst. Rec'd	13-Nov-2003	Reminder	04-Dec-2003
Response Due	30-Dec-2003	Due Date	04-Dec-2003
Status Check 4	22-Jan-2004	Reminder	22-Apr-2003
1st Extension	30-Jan-2004	Due Date	04-Dec-2003
2nd Extension	29-Feb-2004	Due Date	04-Dec-2003
Status Check 2	02-Mar-2004	Reminder	30-Sep-2003
2 Weeks to Final Date	14-Mar-2004	Reminder	04-Dec-2003
3rd Extension/Final Date	30-Mar-2004	Final	04-Dec-2003
Action Sent/Client Inst. Rec'd	02-Apr-2004	Reminder	26-Feb-2004
Response Due	19-May-2004	Due Date	19-Aug-2004
Status Check 5	22-May-2004	Final	22-Apr-2003

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Status Check 1	04-Jun-2004	Reminder	19-Feb-2004
1st Extension	19-Jun-2004	Due Date	19-Aug-2004
Status Check 3	02-Jul-2004	Reminder	30-Sep-2003
2nd Extension	19-Jul-2004	Due Date	19-Aug-2004
2 Weeks to Final Date	02-Aug-2004	Reminder	19-Aug-2004
3rd Extension/Final Date	19-Aug-2004	Final	19-Aug-2004
Status Check 2	04-Oct-2004	Reminder	19-Feb-2004
Status Check 4	02-Nov-2004	Reminder	30-Sep-2003
Status Check 3	04-Feb-2005	Reminder	19-Feb-2004
Status Check 5	02-Mar-2005	Final	30-Sep-2003
Status Check 4	04-Jun-2005	Reminder	19-Feb-2004
Status Check - notify USPTO	19-Jul-2005	Final	27-Jun-2005
Petition to Revive due 2 weeks	10-Aug-2005	Reminder	
Petition to Revive	27-Aug-2005	Final	
Status Check 5	04-Oct-2005	Final	19-Feb-2004

User ID: stewart_lm

Date Created: 09-Mar-2002

Last Update: 29-Jun-2005